

Appellant submitted a statement dated January 8, 2021. She attested that on April 17, 2019, she returned to work after a previous injury to her lower back and was repositioning patients

when she experienced pain in her neck and back. Appellant related that she took pain medications and continued to work, but sought medical care in August 2019 after her pain became severe.

Appellant submitted a subsequent statement dated February 10, 2021 wherein she explained that she originally thought that her pain was due to her initial muscle spasm, as she had experienced muscle spasm pain in her back in March 2019. She stated that she saw a doctor when her pain did not resolve, and she was placed on light duty in November 2019. Appellant noted that she was told to file a Form CA-7, instead of a Form CA-1, therefore she filed the wrong form for her claim.

By decision dated February 23, 2021, OWCP denied appellant's claim, finding that she had not submitted any medical evidence containing a medical diagnosis in connection with the accepted incident. It concluded, therefore, that the requirements had not been met to establish an injury as defined by FECA.

OWCP thereafter received medical evidence. In a report dated October 31, 2019, Dr. Karl Angelo Vega Leikes, an orthopedic spine surgeon, diagnosed a cervical sprain. He related that appellant was seen for a follow up appointment regarding her bilateral neck and upper back pain and that appellant's symptoms were likely aggravated by heavy weight lifting and bending for prolonged periods of time, that were required of her job. Dr. Vega Leikes also provided work restrictions.

OWCP received a medical report dated September 8, 2020 from Dr. Robert Sickler, a Board-certified anesthesiology and pain medicine specialist, which related that appellant was seen for neck pain. Appellant was diagnosed with cervical spondylosis with radiculopathy, spinal stenosis in cervical region, and chronic pain syndrome.

On March 10, 2021 appellant requested reconsideration of OWCP's February 23, 2021 decision. In an accompanying statement, she related that her initial pain on April 17, 2019 was due to cumulative trauma from heavy lifting and repositioning of patients.

By decision dated June 8, 2021, OWCP modified its February 23, 2021 decision to find that the evidence of record established a diagnosis; however, the claim remained denied as the medical evidence of record was insufficient to establish causal relationship of the diagnosed medical condition and the accepted employment incident.

The Board, having duly considered this matter, finds that this case is not in posture for decision.

OWCP's procedures provide that cases should be administratively combined when correct adjudication of the issues depends on frequent cross-referencing between case files.¹ For example, if a new injury case is reported for an employee who previously filed an injury claim for a similar

¹ Federal (FECA) Procedure Manual, Part 2 -- Claims, *File Maintenance and Management*, Chapter 2.400.8c (February 2000); *T.D.*, Docket No. 20-1119 (issued January 29, 2021); *R.R.*, Docket No. 19-0368 (issued November 26, 2019).

condition or the same part of the body, doubling is required.² In the present claim, appellant alleged injuries to her back and neck. OWCP previously accepted her claim for strain of muscle, fascia and tendon of lower back under OWCP File No. xxxxxx946, which occurred approximately one month prior, on March 13, 2019. However, evidence pertaining to that file is not part of the case record presented before the Board. For a full and fair adjudication, the case must be remanded to OWCP to administratively combine the current case record with OWCP File No. xxxxxx946, so it can consider all relevant claim files and accompanying evidence in adjudicating appellant's current traumatic injury claim. Following this and other such further development as deemed necessary, OWCP shall issue a *de novo* decision. Accordingly,

IT IS HEREBY ORDERED THAT the June 8, 2021 decision of the Office of Workers' Compensation Programs is set aside and the case is remanded for further proceedings consistent with this order of the Board.

Issued: April 27, 2022
Washington, DC

Alec J. Koromilas, Chief Judge
Employees' Compensation Appeals Board

Patricia H. Fitzgerald, Deputy Chief Judge
Employees' Compensation Appeals Board

Janice B. Askin, Judge
Employees' Compensation Appeals Board

² *Id.*; *M.B.*, Docket No. 20-1175 (issued December 31, 2020); *L.M.*, Docket No. 19-1490 (issued January 29, 2020).